

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

---

EDNA KELLEY MIDDLETON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 17-cv-2164-SHL-dkv
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

---

**ORDER DENYING MOTION FOR EXTENSION OF TIME AND  
ADOPTING REPORT AND RECOMMENDATION**

---

Before the Court is Chief Magistrate Judge Diane K. Vescovo's ("Chief Magistrate Judge") Order Granting Motion to Proceed *In Forma Pauperis* and Report and Recommendation for *Sua Sponte* Dismissal ("Report") (ECF No. 5), filed on April 5, 2017, recommending the dismissal of *Pro Se* Plaintiff's Complaint (ECF No. 1) because it is untimely and because Plaintiff failed to exhaust her administrative remedies. Also before the Court is Plaintiff's third Motion for Time Extension to file her objections to the Report. (ECF No. 11.) For the following reasons, the Motion is **DENIED**, and the Report is **ADOPTED**.

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal of a complaint for failure to state a claim on which relief may be granted. 28 U.S.C. § 636(b)(1)(B). "Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1). A district court reviews *de novo* only those proposed findings of fact or conclusions of law to which a party specifically objects. Id.; see also Fed. R. Civ. P. 72(b)(3).

Here, the Court has granted Plaintiff two extensions of time to file her objections to the Report. (ECF Nos. 7 & 10.) The Court declines to continue to draw out this matter. Therefore,

Plaintiff's third Motion for Time Extension is hereby **DENIED**. Because the deadline to object to the Report has passed without objection, the Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Magistrate Judge's Report and **DISMISSES** Plaintiff's Complaint for failure to state a claim.

**IT IS SO ORDERED**, this 17th day of May, 2017.

s/ Sheryl H. Lipman  
SHERYL H. LIPMAN  
UNITED STATES DISTRICT JUDGE